

FACTSHEET – UPR 2024 – Vietnam

4th CYCLE UNIVERSAL PERIODIC REVIEW

Khmer Krom Rights in Vietnam

Although the Vietnamese government has always state that there is respect for human rights in Vietnam but in reality what is remarkable that Khmer Krom Indigenous People lived under oppressive rule, persecuted of the time, literature, culture, religious belief, rights of freedom expression and access information, rights of association and assembly and the rights to own destiny.

Joint submission by: Khmer Kampuchea Krom for Human Rights and Development Association (KKKHRDA); Khmer Kampuchea Krom Community (KKKCC); Union of the Khmer Kampuchea Krom Buddhist Monk Students (UKKBS); the Friendship of Khmer Kampuchea Krom Association (FKKKA); Khmer Kampuchea Krom Cultural Centre in Cambodia (KKKCCC); Khmer Kampuchea Krom Women Association (KKKWA); Khmer Krom Youth Council (KKYC) and Khmer Fund for the Poor (KFP).

SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

Previous recommendations included:

1. Continue its efforts to preserve the languages and culture of ethnic minorities (Nepal) (India); Recommendation No. 76
2. Further increase the use of ethnic languages in schools and the mass media (Philippines); Recommendation No. 78
3. Take more adequate measures to provide education to ethnic minorities (South Sudan); Recommendation No. 143.212.
4. Take supplementary measures to support access of minority children to education by helping them maintain and develop their traditions and languages (Morocco); Recommendation No. 79
5. Improve its efforts on educational reform towards a comprehensive education policy with a particular focus on vulnerable groups, including children, person with disabilities and minorities (Islamic Republic of Iran); Recommendation No. 143.194.
6. The Government (c) in accordance with article 70 of the Constitution, speed the process for the local registration of churches and religious organizations as mandated under the framework on religion and allow for an equitable resolution of property disputes as required under the Constitution and the Prime Minister’s decree on religious property, and (d) recognize the United Buddhist Church of Viet Nam and allow it to function independently of the Vietnamese Buddhist Sangha. (United States) Recommendations contained in para. 66 (a), (b), (c) and (d):
7. Take the necessary steps to ensure that citizens can fully enjoy the rights to freedom of expression and freedom of religion (Argentina); Recommendation No. 44
8. Protect civil and political rights, especially freedom of expression, peaceful assembly and association (Luxembourg); Recommendation No. 38.179
9. Adopt legislative changes to guarantee the protection and free exercise of freedom of expression, association and peaceful assembly (Spain); Recommendation No. 38.200

NATIONAL FRAMEWORK

In the 1st, 2nd and 3rd UPR cycle, the Vietnamese Government is supported recommendations related to Freedom of thought, conscience & religion, Freedom of association, Right to peaceful assembly, Constitutional & legislative framework, Freedom of opinion and expression & access to information, Equality & non-discrimination and Racial discrimination.

Since the last periodic review in 2019, the government of Vietnam has shown little interest in improving its human rights record. It continues to restrict basic freedoms of expression, association, assembly, and religion. It owns and controls and prosecutes those using social media to criticize the government in the country. The Socialist Republic of Vietnam has never allowed free and fair elections. Independent trade unions are prohibited and social organizations, religious groups, and civil society are tightly regulated.

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CHALLENGES

IMPACT

Cultural, belief and religion

The government restricts religious practice through legislation, registration requirements, harassment, and surveillance. Religious ceremonies are required to gain approval from and inform with the local authorities as well as operate under government-controlled management boards. While authorities allow many government-affiliated pagodas to hold worship services, they ban religious activities they arbitrarily deem contrary to the “national interest,” “public order,” or “national unity.”

In the field of culture, beliefs and religious practices, Vietnam has been using and managing such as; monuments, resorts, culture, history and some national traditions of Khmer Krom Buddhism have been developed and managed by the Vietnamese government to take advantage of state revenue. The celebrations of national and international festivals and the practice of Buddhism must be authorized and restricted by the Vietnamese authorities, subject to notification or legal approval.

Right to Education

The Khmer language is not officially used. Khmer Krom children must study in Vietnamese language schools and speak Vietnamese in Vietnamese public schools. If they want to learn the Khmer alphabet, they have to study at the Buddhist pagodas. Despite the system of Buddhist education organized by the Khmer Theravada Buddhist Monks Association, the Vietnamese government did not recognize it universally. In particular, the study of Khmer history and geography is not allowed to study, otherwise it will face all legal consequences. All the study curriculums must be inspected and approved by the Vietnamese authorities, otherwise it is strictly prohibited.

Right to access information and Freedom of Expression

Under the control of the Vietnamese government, the Khmer Krom did not have rights to access information, as there was surveillance by the Vietnamese intelligence agencies when the Khmer Krom provided information on human rights abuses to the international press, international NGOs, they are often monitored and some are summoned by local police authorities for questioning and other restrictions on the exercise of freedom of expression on social media.

RECOMMENDATIONS

1. The Government of Vietnam in the mid-term of UPR 2024-2026 promote and respect the rights of Khmer-Krom people about their religious beliefs, religious worship, self-administration of religious affairs, and must not limit and interfere in the internal affairs of Khmer-Krom Buddhism and implementation in accordance with the Article 27 of ICCPCR, the rights of members of a religious minority to profess or practice their own religion with other members of their group including the right to freedom of thought, conscience and religion (article 18). The Article 18 and 19 of the Universal Declaration of Human Rights. The Article 25 of the Vietnam Constitution 2013 states “Freedom of religion.” The Article 3 and Article 6 of the Decision No. 82/2010 / NĐ-CP of Vietnam and the Article 2 of the Convention on the Elimination of All Forms of Racial Discrimination.
2. The government of Vietnam under the mandate of a member of the United Nations Human Rights Council (UNHRC) for 2023-2025, ensure to establish the curriculum in the field of culture, civilization, Khmer traditions and customs for the Khmer Krom people available in public schools and in Buddhist monasteries in accordance with article 11 of UNDRIP. And implement according to the Decision on Vietnamese Ethnic Cooperation in accordance with the Government Organization Law and in accordance with Article 5, Article 7 and Article 10 of the Vietnamese Education Law and Decree No. 24/2014 / TT-BGDĐT. Article 13 states “Development and preservation of the culture, traditions, language and literature of ethnic minorities.” and in accordance with Article 5, Article 7 and Article 10 of the Vietnamese Education Law and Circular No. 24/2014 / TT-BGDĐT.
3. The Government of Vietnam, under the mandate of a member of the United Nations Human Rights Council (UNHRC) for 2023-2025, fully respect and ensure that Khmer Krom people enjoy their rights, including the right to freedom of expression, association and peaceful assembly accordance with the article 19 of ICCPCR.

For additional details and full recommendations, please refer to the full submission.